

hand in rather a pretty attitude of preoccupation. But she was all attention and alertness when Delmas put to her his first question:

"You have already testified that in the fall of 1903 you went to Abe Hummel's office?"

"Yes, sir."

"Did you know Mr. Hummel at that time?"

"No, I had never seen him."

WHY SHE VISITED HUMMEL.

"Was your visit at that time made with a view to obtaining his professional services as an attorney at law?"

Jerome objected on the ground that Mrs. Thaw had already stated her reasons for going to the office of Hummel in company with Stanford White on Oct. 27, 1903.

Delmas showed that in Mrs. Harry Thaw's examination-in-chief she had only been permitted to tell what she had told Thaw. He insisted that he had a right to pursue his present line of inquiry, since the young wife had now been caused for a very different purpose; namely, to show whether she visited Abe Hummel in a professional capacity.

Justice Fitzgerald decided that even if the professional relationship had existed between the girl and Abe Hummel, the professional privilege had been waived by reason of Evelyn Nesbit Thaw's own testimony.

This was a partial victory for Jerome, since it paved the way for the admission of Hummel's testimony, providing Delmas's other objections should be overruled.

Delmas sent Mrs. Harry Thaw away without seeking further to have her tell that she had gone to Hummel with a view to retaining his services in a suit against Thaw. She had been on the stand twenty minutes, and in that time she had answered just two questions.

HUMMEL CAN TELL ALL.

Justice Fitzgerald further ruled that the defense could not now plead the professional privilege in bar of Hummel's testimony for the privilege was involuntarily waived when Mrs. Thaw took the stand and told of the occurrences in Hummel's office.

After a short delay, Abe Hummel appeared upon the witness stand. He was smiling a smile of satisfaction that made a gash across the lower half of his small face and he beamed almost lovingly upon all and sundry as he perched himself upon the edge of the big chair. Jerome asked him this, in continuation of the evidence he had already given:

"When Evelyn Nesbit called at your office on Oct. 27, 1903, did she say to you that Harry Thaw had often begged her to swear to documents accusing Stanford White? Did she say those documents which Thaw had prepared charged White with drugging and wronging her when she was only fifteen years old? Did she say she had refused to swear to these written documents because the charges against White were not true? And did she say Thaw had beaten her because she refused to swear to these documents?"

Delmas objected on technical grounds. He was overruled.

"In effect, yes, she did," said Hummel.

"Thereafter, in her presence and hearing, did you dictate something to a stenographer? Can you recall what it was you dictated?"

"I can so recall," said Hummel, after Delmas's objection had been overruled.

"Was that dictation subsequently reduced to a written form?"

DELMAS IS NETTLED.

"Yes," snapped Hummel, eagerly, before Delmas could object.

"This man is once a lawyer," said Mr. Delmas, "and he should know what should be the proper course for him to follow, knowing as he did that I meant to object. I move to strike out his answer."

"Sustained," said Justice Fitzgerald.

"After this dictation had been done, what is the next thing that happened in this connection?"

The question was ruled out. So Jerome took this one:

"Do you know which of your stenographers took this dictation?"

"I do not recall."

Delmas objected here, as he had objected to every step of the examination, making his former claim that the testimony now being given was not material and not rebuttal.

"What was done with the dictation? What was the next step in the transaction?"

Here Justice Fitzgerald halted Hummel to ask him for the names of his stenographers in 1903. Hummel called over a list of several names. Then the justice permitted Hummel to reply to Jerome's last question.

"Whoever the stenographer was," said Hummel, "I received from him or her the original typewritten copy and indorsed carbon copy."

"I hand you now Exhibit 7 (the carbon copy) and ask you if you ever saw that before?"

"Yes, sir," said Hummel, after carefully gazing at the exhibit with his short, plump fingers.

"Where?"

IDENTIFIES THE COPY.

"Is the exhibit you just saw the carbon copy which you received from your stenographer after your conversation with Evelyn Nesbit in October of 1903?"

"Yes. It is the carbon copy, but not the original."

"Did you ever see the original after Oct. 27, 1903?"

"Yes."

"After you received the original, what did you do with it?"

"I handed it to Mr. Snedeker or Mr. Jacobson, of my office staff. I don't remember which one."

"What day was it you handed the original to one of these two men?"

"The same day of the visit and of the dictation."

"When did you next see the original?"

"On Oct. 28—the next day."

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asked Jerome, showing little Hummel a broken glass negative.

"Yes; that's the negative of the photograph that was made at that time."

"Who made the photograph?"

"I can't remember."

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"Did you subsequently have the original in your possession?"

"Yes."

"Have you ever seen Evelyn Nesbit write?"

"Yes."

"Did you know her handwriting?"

"No."

"When the original copy was returned to you by Snedeker or Jacobson on Oct. 28, in what way did it differ from its form as it was when you handed it to one of them on Oct. 27?"

SIGNED BY EVELYN THAW.

"It had been signed with the signature of Evelyn Nesbit."

"What became of it finally?"

"I gave it to Evelyn Nesbit in my office."

"Did you ever see it again?"

"I never did."

This was an express contradiction of Evelyn Nesbit Thaw's version of the last stage of the affidavit episode. She had said she never saw any affidavit, but had admitted to signing a paper, the contents of which she did not read, at the request of Stanford White's secretary, Hartnett, who took it away with him. Later, she said, that upon her demand, Abe Hummel in her presence, burned a paper in his office telling her that it was the paper which she had signed at Charles Hartnett's instigation in the tower of Madison Square Garden upon the night of Oct. 27 following her first visit to Hummel.

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She had never denied that Hummel had dictated a statement in which she was made to accuse Harry Thaw of mistreatment and drug taking, but she had stoutly insisted on the stand that she had never said any such thing to Hummel and she had insisted always that she did not know whether the statement she signed for Hartnett was the same that Hummel dictated.

After a short recess Jerome suddenly announced that he was through with the witness. He had made no attempt to get the carbon copy of the affidavit or the photograph of the original directly into evidence. It was expected that he would endeavor to do this when he put Snedeker on the stand.

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"Just as I told you yesterday, I got an annual retainer from Mr. White," said Hummel, wringing in his chair.

"Were you his general attorney or his special attorney?"

"That I cannot say. I drew a general retainer."

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"Can you recall the photographer who photographed the original of this affidavit?"

"No."

"At what studio was it taken?"

"I can't say. My memory is that it was taken in this city. My best impression is that a photographer came to my office at my request and that either I or one of my forces handed it to him to be photographed."

"Are you sure?"

"Reasonably sure."

"So that either you or one of your agents handed it to the photographer

VICIOUS POSTALS ARE CONFISCATED BY POST-OFFICE

Five Thousand a Day of Them Stopped from Delivery Here.

The protest of the United Irish Societies to the Postmaster General against the coarse caricatures bears on the festival of St. Patrick's Day has borne fruit in the confiscation of several thousand of the offensive letters.

At the office of the Postmaster in New York it was said today that under no circumstances would a post-card calculated to offend or hurt the feelings of the person addressed be allowed transmission through the United States mails.

The attention of the United Irish Societies was called some time ago to the sudden appearance these cards on the market. It was decided to communicate with the Postmaster-General, reminding him that there was a statute prohibiting the transmission by mail of any card which might reasonably be supposed to insult the recipient. The Assistant Postmaster-General of the New York City office of the Post Office Department replied that the law as quoted in the Societies' letter did not apply to the transmission of such cards and the machinery of the department would be put in motion this year to stop them.

Locally Assistant Postmaster-General of New York City, told an *Evening World* reporter today that the cards were being sent out by the thousands and that the capture of about five thousand a day. Never say the postal authorities are too slow in the capture of the order book so widespread.

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MINISTER TIRED OF SHAM, TO VOTE FOR A "WET" TOWN

Long Island Pastor Says Rum Flows Freely in All "Dry" Places.

RIVERHEAD, L. I., March 12.—Rev. William A. Wason, pastor of Grace Church, this place, a man well known for his common sense views on matters of sports and topics of the day, in an interview says he is opposed to Riverhead being known as a "dry" town any longer and will lend all his energies to having the town made "licensing" at the next election.

The town of Riverhead has been "dry" for two years now, but it is admitted by witnesses that there has been just as much rum sold in those two years as there ever was before. The only difference being that a man has to be known by the bartenders or the proprietors as a safe person to sell it to. All strangers are looked upon with suspicion and usually have to content themselves with "malt."

Dr. Wason says that to his mind the whole no license scheme is a "gross mistake" and humor from beginning to end. He adds: "It is so here in Riverhead. It is so in Southampton, and it is so everywhere it is in operation. Nobody is fooled except a few poor good ladies (W. G. T. U.) who live in the dreamland of prohibition. I am tired of being a fool and I advise all my friends to do the same."

The town meeting occurs on April 2 next, and from now on there will be a "wet" town, "wet" and "dry" advocates of temperance are looking forward to the open declaration of Mr. Wason that he will vote for "license."

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BEARS FORCED TO COVER; PANIC IS AT AN END

(Continued from First Page.)

some of the concerns that have been in the thick of the fight from the start have been able to meet their obligations. The only way they can account for it is that the market is wholly a pretense.

Weaklings have no place in this enormous liquidation, and apparently they have been wise enough to stay out of the paper fray and leave the rich plungers to fight it out among themselves.